

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE	*	BKRTCY. NO. 16-01980 MCF
EDGAR AGOSTO RODRIGUEZ	*	CHAPTER 13
<u>DEBTOR</u>	*	

**DEBTOR'S MOTION AND NOTICE OF FILING OF POST-CONFIRMATION
MODIFICATION OF CHAPTER 13 PLAN 11 USC §1329**

TO THE HONORABLE COURT:

COMES NOW, EDGAR AGOSTO RODRIGUEZ, the debtor in the above captioned case, through the undersigned attorney, and very respectfully states and prays as follows:

1. The debtor is hereby submitting a post-confirmation modification of Chapter 13 Plan, 11 USC Section 1329, dated November 23, 2016, herewith and attached to this motion.

2. This Plan modification is filed to provide for post-petition mortgage loan arrears owed to Banco Popular de Puerto Rico ("BPPR") to be paid through the Trustee (\$2,342.52), pursuant to BPPR's 362 motion for relief from stay, docket entry #28, increasing the Plan base to \$17,052, accordingly.

NOTICE PURSUANT TO LOCAL BANKRUPTCY RULE 3015(f)

Within twenty-one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

Page -2-
Post Confirmation Modification 11 USC 1329
Case no. 16-01980 MCF13

I CERTIFY, that on this same date a copy of this Notice was filed with the Clerk of the Court using the CM/ECF system which will send notice of same to the Chapter 13 Trustee, and all CM/ECF participants; I also certify that a copy of this notice was sent via regular mail to the debtor and to all creditors and interested parties (Non CM/ECF participants) appearing in the master address list, hereby attached.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 23rd day of November, 2016.

/s/Roberto Figueroa Carrasquillo
USDC #203614
RFIGUEROA CARRASQUILLO LAW OFFICE PSC
ATTORNEY FOR PETITIONER
PO BOX 186 CAGUAS PR 00726
TEL NO 787-744-7699 FAX 787-746-5294
Email: rfigueroa@rfclawpr.com

United States Bankruptcy Court
District of Puerto Rico, San Juan Division

IN RE:

AGOSTO RODRIGUEZ, EDGAR

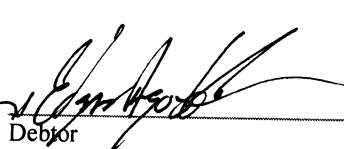
Debtor(s)

Case No. **3:16-bk-1980**

Chapter **13**

AMENDED CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: 11/23/2016		<input type="checkbox"/> AMENDED PLAN DATED: _____																																																																									
<input type="checkbox"/> PRE <input checked="" type="checkbox"/> POST-CONFIRMATION		Filed by: <input type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other																																																																									
I. PAYMENT PLAN SCHEDULE		II. DISBURSEMENT SCHEDULE																																																																									
<table border="0"><tr><td>\$</td><td>175.00</td><td>x</td><td>8</td><td>= \$</td><td>1,400.00</td></tr><tr><td>\$</td><td>226.00</td><td>x</td><td>36</td><td>= \$</td><td>8,136.00</td></tr><tr><td>\$</td><td>376.00</td><td>x</td><td>6</td><td>= \$</td><td>2,256.00</td></tr><tr><td>\$</td><td>526.00</td><td>x</td><td>10</td><td>= \$</td><td>5,260.00</td></tr><tr><td>\$</td><td></td><td>x</td><td></td><td>= \$</td><td></td></tr><tr><td colspan="5">TOTAL: \$</td><td>17,052.00</td></tr></table>		\$	175.00	x	8	= \$	1,400.00	\$	226.00	x	36	= \$	8,136.00	\$	376.00	x	6	= \$	2,256.00	\$	526.00	x	10	= \$	5,260.00	\$		x		= \$		TOTAL: \$					17,052.00	<p>A. ADEQUATE PROTECTION PAYMENTS OR \$ _____</p> <p>B. SECURED CLAIMS:</p> <p><input type="checkbox"/> Debtor represents no secured claims.</p> <p><input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows:</p> <p>1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS:</p> <table border="0"><tr><td>Cr. Banco Popular de P</td><td>Cr. Banco Popular de P</td><td>Cr.</td></tr><tr><td># x8410 POC#03</td><td># Post-pet</td><td>#</td></tr><tr><td>\$ 9,222.90</td><td>\$ 2,342.52</td><td>\$</td></tr></table> <p>2. <input type="checkbox"/> Trustee pays IN FULL Secured Claims:</p> <table border="0"><tr><td>Cr. _____</td><td>Cr. _____</td><td>Cr.</td></tr><tr><td># _____</td><td># _____</td><td>#</td></tr><tr><td>\$ _____</td><td>\$ _____</td><td>\$</td></tr></table> <p>3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL:</p> <table border="0"><tr><td>Cr. _____</td><td>Cr. _____</td><td>Cr.</td></tr><tr><td># _____</td><td># _____</td><td>#</td></tr><tr><td>\$ _____</td><td>\$ _____</td><td>\$</td></tr></table> <p>4. <input checked="" type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder:</p> <p>AEELA</p> <p>5. <input type="checkbox"/> Other: _____</p> <p>6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to:</p> <p>Sistema de Retiro El Banco Popular de P</p> <p>C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2)</p> <p>D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims.</p> <p>1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____</p> <table border="0"><tr><td>Cr. _____</td><td>Cr. _____</td><td>Cr.</td></tr><tr><td># _____</td><td># _____</td><td>#</td></tr><tr><td>\$ _____</td><td>\$ _____</td><td>\$</td></tr></table> <p>2. Unsecured Claims otherwise receive PRO-RATA disbursements.</p>		Cr. Banco Popular de P	Cr. Banco Popular de P	Cr.	# x8410 POC#03	# Post-pet	#	\$ 9,222.90	\$ 2,342.52	\$	Cr. _____	Cr. _____	Cr.	# _____	# _____	#	\$ _____	\$ _____	\$	Cr. _____	Cr. _____	Cr.	# _____	# _____	#	\$ _____	\$ _____	\$	Cr. _____	Cr. _____	Cr.	# _____	# _____	#	\$ _____	\$ _____	\$
\$	175.00	x	8	= \$	1,400.00																																																																						
\$	226.00	x	36	= \$	8,136.00																																																																						
\$	376.00	x	6	= \$	2,256.00																																																																						
\$	526.00	x	10	= \$	5,260.00																																																																						
\$		x		= \$																																																																							
TOTAL: \$					17,052.00																																																																						
Cr. Banco Popular de P	Cr. Banco Popular de P	Cr.																																																																									
# x8410 POC#03	# Post-pet	#																																																																									
\$ 9,222.90	\$ 2,342.52	\$																																																																									
Cr. _____	Cr. _____	Cr.																																																																									
# _____	# _____	#																																																																									
\$ _____	\$ _____	\$																																																																									
Cr. _____	Cr. _____	Cr.																																																																									
# _____	# _____	#																																																																									
\$ _____	\$ _____	\$																																																																									
Cr. _____	Cr. _____	Cr.																																																																									
# _____	# _____	#																																																																									
\$ _____	\$ _____	\$																																																																									
III. ATTORNEY'S FEES (Treated as § 507 Priorities)		OTHER PROVISIONS: (Exeutory contracts; payment of interest to unsecureds, etc.)																																																																									
Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ 2,868.00		"Tax refunds will be devoted each year, as periodic payments, to the plan's funding until plan completion. The plan shall be deemed modified by such amount, without the need of further Court order. The debtor(s) shall seek court's authorization prior any use of funds."																																																																									
Signed:  Debtor																																																																											
Joint Debtor																																																																											

© 2016 CInGroup 1.866.218.1003 - CInCompass (www.cincompass.com)

Attorney for Debtor **RFigueroa Carrasquillo Law Office PSC**

Phone: **(787) 744-7699**

AMENDED CHAPTER 13 PAYMENT PLAN

Label Matrix for local noticing
0104-3
Case 16-01980-MCF13
District of Puerto Rico
Old San Juan
Wed Nov 23 10:54:18 AST 2016

US Bankruptcy Court District of P.R.
Jose V Toledo Fed Bldg & US Courthouse
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

AEELA
PO Box 364508
San Juan, PR 00936-4508

AT&T Mobility Puerto Rico, Inc.
%AT&T SERVICES INC.
KAREN A. CAVAGNARO LEAD PARALEGAL
ONE AT&T WAY, SUITE 3A104
BEDMINSTER, NJ 07921-2693

Att Services
PO Box 192830
San Juan, PR 00919-2830

BANCO POPULAR DE PUERTO RICO (PBDS B0015-119
PO BOX 362708
SAN JUAN, PUERTO RICO 00936-2708

Banco Popular de Puerto Rico
Mortgage Servicing Department
PO Box 362708
San Juan, PR 00936-2708

EMP. BERRIOS FINANCIERA
P.O. BOX 674
CIDRA, PR 00739-0674

FIRST BANK
CONSUMER SERVICE CENTER
BANKRUPTCY DIVISION - CODE 248
PO BOX 9146, SAN JUAN PR 00908-0146

Martinez & Torres Law Offices, PSC
Carla M Nevarez Perez, Esq.
PO Box 192938
San Juan, PR 00919-3409

Miguel A Maza Perez & Associates PSC
PO Box 364028
San Juan, PR 00936-4028

Operating Partners CO LLC
PO Box 194499
San Juan, PR 00919-4499

Santander
PO Box 71504
San Juan, PR 00936-8604

Scotiabank De Puerto R
PO Box 2394
San Juan, PR 00936

Sistema de Retiro ELA
PO Box 42003
San Juan, PR 00940-2203

Synchrony Bank
c/o of Recovery Management Systems Corp
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

(PBDS) BANCO POPULAR DE PUERTO RICO
PO BOX 362708
SAN JUAN, PR 00936-2708

EDGAR AGOSTO RODRIGUEZ
JARDINES DE YABUCOA 1029 CALLE ITALIA
YABUCOA, PR 00767-3124

JOSE RAMON CARRION MORALES
PO BOX 9023884
SAN JUAN, PR 00902-3884

MONSITA LECAROS ARIBAS
OFFICE OF THE US TRUSTEE (UST)
OCHOA BUILDING
500 TANCA STREET SUITE 301
SAN JUAN, PR 00901

ROBERTO FIGUEROA CARRASQUILLO
PO BOX 186
CAGUAS, PR 00726-0186

End of Label Matrix
Mailable recipients 20
Bypassed recipients 0
Total 20